

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BERT VLADIMIR, Individually and On  
Behalf of All Others Similarly Situated,  
  
Plaintiff,

v.

BIOENVISION INC., CHRISTOPHER B.  
WOOD, JOSEPH P. COOPER, STEVEN  
A. ELMS, MICHAEL G. KAUFFMAN,  
ANDREW SCHIFF, JAMES S.  
SCIBETTA, and PERSEUS-SOROS  
BIOPHARMACEUTICAL FUND, LP,  
Defendants.

Index No. 07-CIV-6416

Judge Sidney H. Stein

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE THAT, upon the Declaration of Richard A. Rosen, dated January 30, 2008, the exhibits annexed thereto, and the accompanying memorandum of law, defendant Perseus-Soros Biopharmaceutical Fund, LP, by its attorneys Paul, Weiss, Rifkind, Wharton & Garrison LLP, will move this Court on January 30, 2008, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the complaint with prejudice for failure to state a claim upon which relief can be granted and granting such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
January 30, 2008

PAUL, WEISS, RIFKIND, WHARTON &  
GARRISON LLP

By: /s/ Richard A. Rosen  
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